

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

<b>TERRY EDWARDS,</b>	§	
	§	
Plaintiff,	§	
v.	§	Civil Action No. <b>3:14-CV-3767-L</b>
	§	
<b>TEXAS BOARD OF PARDONS</b>	§	
<b>AND PAROLES,</b>	§	
	§	
Defendant.	§	

**ORDER**

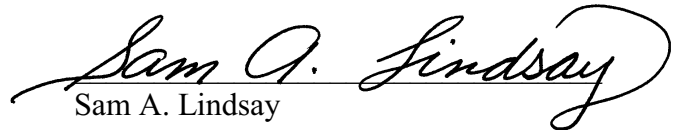
This case was referred to Magistrate Judge Irma Carrillo Ramirez, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on December 30, 2014, recommending that the case, brought pursuant to 42 U.S.C. § 1983, be dismissed with prejudice as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i). Plaintiff filed objections to the Report, which were docketed on January 16, 2015.

After considering the pleadings, file, the record, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **overrules** Plaintiff’s objections and **dismisses with prejudice** Plaintiff’s claim under section 1983, based on alleged constitutional violations and his request for a declaratory judgment and injunction against Defendant, as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i).

The court prospectively **certifies** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. 24(a)(3). In support of this certification, the court **accepts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997). The court concludes that any appeal of this action would present no legal point

of arguable merit and would therefore be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with clerk of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. 24(a)(5).

**It is so ordered** this 29th day of January, 2015.

  
Sam A. Lindsay  
United States District Judge